



Connecticut Self Storage Association

The Voice of the Industry in Connecticut

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**TESTIMONY OF
CONNECTICUT SELF STORAGE ASSOCIATION
BY**

MARK BILDNER, PRESIDENT

SUPPORTING

**HB-6620, AA CREATING A PROCEDURE FOR SELF-STORAGE FACILITIES TO AUCTION
AUTOMOBILES ABANDONED AT SUCH FACILITIES**

**BEFORE THE
TRANSPORTATION COMMITTEE**

MARCH 6, 2009

My name is Mark Bildner. I am the President of the Connecticut Self Storage Association (CTSSA). I own one self storage facility in Norwalk, CT. The CTSSA is a non-profit association representing 85 members across the State of Connecticut. While we have a handful of large operators in the state, most self storage owners are small-business people with one or two facilities. These facilities are located in nearly every legislative district with multiple facilities in the more densely populated areas of the state.

I would like to thank Chairman Guerrero, Chairman DeFronzo, and all the members of the Transportation Committee for allowing me the opportunity to speak on behalf of the association in support of this critical legislation, Raised Bill No. 6620, An Act Creating a Procedure for Self-Storage Facilities to Auction Automobiles Abandoned at Such Facilities. This bill seeks to remedy a major problem faced by self storage facility owners – the inability to remove abandoned vehicles. It would effectively accomplish two things: 1) Clarify the definition of "personal property" to specifically include motor vehicles; and 2) Create a procedure for self storage facilities to follow when a motor vehicle is abandoned at their facility, based upon existing practice by the Department of Motor Vehicles.

We would also like to thank the Department of Motor Vehicles for their willingness to work with the industry on this problem. While we certainly do not claim to speak for the Department, it is our understanding that they are agreeable to this definition and can accomplish administering the procedure within existing practice.

Currently, when a self storage tenant stops paying their rent or has simply abandoned their goods, we follow the procedures set forth in Connecticut General Statutes §42-160 et seq., what we refer to as the "Lien Law". The Lien Law provides for proper notice to the delinquent tenant within certain timeframes, and if the delinquent

tenant ultimately does not pay, the Lien Law defines the parameters for an auction of the tenant's stored items left at the self storage facility. At auction, any amounts collected above the outstanding balance of the delinquent tenant are remitted to the delinquent tenant. (For an additional explanation of the Lien Law for self storage facilities, please see OLR Report 2008-R-0282).

In general, the Lien Law works. However, the procedure set forth in the Lien Law breaks down when a motor vehicle is involved. These include cars, motorcycles, trucks, boats and campers. Under the current law, a self storage owner cannot auction a motor vehicle because there is no law or regulation facilitating the transfer of title to a potential new purchaser without the complete cooperation of the delinquent tenant. Obviously, the delinquent tenant has no incentive to cooperate since, by this point in the process, the rent due far exceeds the value of the motor vehicle. In many circumstances the delinquent tenant cannot even be found, won't return phone calls, and clearly has decided to abandon the vehicle. Raised Bill No. 6620 addresses this gap in the regulations.

To be sure, these motor vehicles are not new cars or valuable classic cars. They are typically older vehicles that have been stored for an extensive period of time. In many cases, customers with thoughts of restoring old boats and cars have simply decided to walk away. This issue has been addressed in neighboring states such as New York and Massachusetts where they have created similar laws to Raised Bill No. 6620.

In summary, we believe that Raised Bill No. 6620 will address these issues and allow facility owners to sell these vehicles at auction for more than just scrap value, recoup a larger portion of the lost rent, and put the parking or storage space back into rental inventory.

Thank you.